

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY AND CARBON MANAGEMENT

IRVING OIL TERMINALS INC.

DOCKET NO. 22-33-CNG

ORDER GRANTING BLANKET AUTHORIZATION
TO IMPORT AND EXPORT COMPRESSED NATURAL GAS
FROM AND TO CANADA BY TRUCK

DOE/FECM ORDER NO. 4819

MAY 9, 2022

I. DESCRIPTION OF REQUEST

On April 4, 2022, Irving Oil Terminals Inc. (Irving Oil Terminals) filed an application with the Office of Fossil Energy and Carbon Management (FECM) of the Department of Energy (DOE) requesting blanket authorization under section 3 of the Natural Gas Act (NGA)¹ for the authority summarized in the list below. The applicant requests the authorization for a two-year term beginning on June 22, 2022.² Irving Oil Terminals is a New Hampshire corporation with its principal place of business in Portsmouth, New Hampshire.

1. Import compressed natural gas (CNG) from Canada by truck at any CNG receiving facility in the United States and its territories
2. Export CNG to Canada by truck from any CNG departure facility in the United States and its territories

Import and export authority was requested for up to a combined total volume equivalent to 58 billion cubic feet (Bcf) of natural gas.

1. Authority to regulate the imports and exports of natural gas, including liquefied natural gas, under section 3 of the NGA (15 U.S.C. § 717b) has been delegated to the Assistant Secretary for Fossil Energy in Redelegation Order No. S4-DEL-FE1-2021, issued on March 25, 2021. On July 4, 2021, the Office of Fossil Energy changed its name to the Office of Fossil Energy and Carbon Management.

2. Irving Oil Terminals' blanket authorization, granted in DOE/FE Order No. 4533, extends through June 21, 2022.

II. **FINDING**

DOE has evaluated the application to determine if the proposed import and/or export arrangements meet the public interest requirement of section 3 of the NGA, as amended by section 201 of the Energy Policy Act of 1992 (Pub. L. 102-486). Under NGA section 3(c), imports and exports of natural gas, including LNG, from or to any country with which the United States has entered into a free trade agreement (FTA) requiring national treatment for trade in natural gas and the import of LNG from other international sources are deemed to be consistent with the public interest.³ DOE must grant such applications without modification or delay.⁴ DOE/FECM has determined that CNG falls within the statutory definition of natural gas.⁵ The authorization sought by Irving Oil Terminals meets the NGA section 3(c) criteria, and, therefore, is deemed to be consistent with the public interest.

ORDER

Pursuant to section 3(c) of the NGA, it is ordered that:

A. Irving Oil Terminals is authorized for the activity described in the list below. This authorization shall be effective for a two-year term beginning on June 22, 2022, and extending through June 21, 2024.

1. Import CNG from Canada by truck at any CNG receiving facility in the United States and its territories
2. Export CNG to Canada by truck from any CNG loading facility in the United States and its territories

The applicant is authorized to import and export up to a combined total volume equivalent to 58 Bcf of natural gas.

3. 15 U.S.C. § 717b(c).

4. *Id.*

5. *Id.* See also 10 C.F.R. § 500.2

B. **Monthly Reports:** With respect to the imports and/or exports authorized by this Order, Irving Oil Terminals shall file with the Office of Regulation, Analysis, and Engagement, within 30 days following the last day of each calendar month, a report on Form FE-746R indicating whether imports and/or exports have been made. Monthly reports must be filed whether or not initial deliveries have begun. If no imports and/or exports have been made, a report of "no activity" for that month must be filed. If imports and/or exports have occurred, the report must provide the information specified for each applicable activity and mode of transportation, as set forth in the Guidelines for Filing Monthly Reports. These Guidelines are available at: <https://www.energy.gov/fe/services/natural-gas-regulation/guidelines-filing-monthly-reports>.

(Approved by the Office of Management and Budget under OMB Control No. 1901-0294)

C. The first monthly report required by this Order is due not later than July 30, 2022, and should cover the reporting period from June 22, 2022 through June 30, 2022.

Issued in Washington, D.C., on May 9, 2022.

Amy R. Sweeney

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Director, Office of Regulation, Analysis, & Engagement

Office of Resource Sustainability

Digitally signed by Amy R. Sweeney. Date: 2022.05.09 06:28:51 -04:00